

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

SAMBA SARR,

Petitioner,

: Case No. 3:20-cv-429

- vs -

District Judge Walter H. Rice  
Magistrate Judge Michael R. Merz

BRIAN COOK, Warden,  
Southeastern Correctional Institution,

:  
Respondent.

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 9), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Petitioner's Motion for Relief from Judgment (ECF No. 8) is DENIED. The Court has already denied Petitioner a certificate of appealability and certified to the court of appeals that any appeal would be objectively frivolous.

April 12, 2021.



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Walter H. Rice  
United States District Judge